

REMARKS

A. 35 U.S.C. § 102

In the Office Action mailed on June 8, 2005, claims 1-11 were rejected under 35 U.S.C. § 102(a) as being anticipated by Pelly. Claims 1 and 2 have been canceled rendering their rejections moot. Regarding claim 4, it has been rewritten in independent form and recites a current compensated choke having two windings that are wound on a common core and “are arranged in such a way that magnetic fields of alternately arranged areas of said first winding and said second winding already cancel each other out before contributing to a magnetization of said common core.” The Office Action has relied on windings 44-46 as defining a current-compensated choke. However, Pelly is silent as to having two of the windings 44-46 wound about a common core. Furthermore, Pelly is silent as to having two of the windings 44-46 arranged so that magnetic fields of alternately arranged areas of the two windings cancel each other before contributing to magnetization of the common core. It is noted that the Office Action has failed to identify any element in Pelly that corresponds to the claimed common core. Furthermore, the passage from column 6 to column 9 of Pelly that is relied on page 3 of the Office Action to reject the claims is silent as to either a common core or the cancellation of magnetic fields in the manner recited in claim 4. Since Pelly fails to disclose a common core or two windings that cancel magnetic fields in the manner recited in claim 4, claim 4 is not anticipated by Pelly and the rejection should be withdrawn.

Besides not being anticipated by Pelly, the claims are not rendered obvious by Pelly. In particular, there is no motivation in Pelly to have two of the windings 44-46 wound about a common core and to have those two windings arranged so that magnetic fields of alternately

arranged areas of the two windings cancel each other before contributing to magnetization of the common core. Without such motivation, claim 4 and its dependent claims 3 and 5-11 are patentable over Pelly and should be allowed.

As pointed out above, claim 4 has been amended so as to be in independent form. Since the amendment incorporates subject matter that was inherently present in the original claim, the amendment is not related to patentability. *See, Festo Corporation v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd*, 535 U.S. 722 (2002).

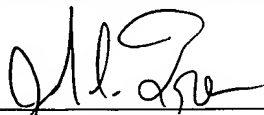
Note that claims 3, 8 and 10 have been amended so as to depend from claim 4. Since the amendments are being made to provide further protection for the device of claim 4, the amendments are not related to patentability as defined in *Festo Corporation v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd*, 234 F.3d 558, 56 USPQ2d 1865 (Fed. Cir. 2000) (*en banc*), *overruled in part*, 535 U.S. 722 (2002).

CONCLUSION

In view of the arguments above, Applicant respectfully submits that all of the pending claims 3-11 are in condition for allowance and seeks an early allowance thereof. If for any reason, the Examiner is unable to allow the application in the next Office Action and believes

that an interview would be helpful to resolve any remaining issues, he is respectfully requested to contact the undersigned attorneys at (312) 321-4200.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John C. Freeman', written over a horizontal line.

John C. Freeman
Registration No. 34,483
Attorney for Applicant

BRINKS HOFER
GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610
(312) 321-4200

Dated: October 6, 2005